

HP Docket No. 10003219-1

**REMARKS**

Applicants appreciate the Office's review of the present application. In response to the Office Action, the cited references have been reviewed, and the rejections and objections made to the claims by the Examiner have been considered. The claims presently on file in the present application are believed to be patentably distinguishable over the cited references, and therefore allowance of these claims is earnestly solicited.

In order to render the claims more clear and definite, and to emphasize the patentable novelty thereof, claims 3, 6, and 22 have been amended. Support for any claim amendments and new claims is found throughout the specification, claims, and drawings as originally filed, and no new matter has been added. More specifically, support for a computing device having means for receiving a first cookie from a first web client which received it from a web server, means for receiving a first request for the first cookie from a second web client, and means for transmitting the first cookie to the second web client which is adapted to transmit it to the web server is found at least in Fig. 8, and at p. 10, ln. 21 – p. 11, ln. 27. Accordingly, all claims presently on file in the subject application are in condition for immediate allowance, and such action is respectfully requested.

**Rejections****Rejection Under 35USC §103**

Claims 1, 3, 5, and 21 have been rejected under 35 USC §103(a), as being unpatentable over U.S. patent 6,934,736 to Sears, Jr. et al. ("Sears") in view of U.S. patent 7,058,60 to Combar et al. ("Combar"). Applicants respectfully traverse the rejection and request reconsideration.

As to a rejection under §103(a), the U.S. Patent and Trademark Office ("USPTO") has the burden under §103 to establish a *prima facie* case of obviousness by showing some objective

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teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. See In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure.

More recently, the Supreme Court, quoting In Re Kahn, 441 F.3d, 977, 988 (CA Fed. 2006), has clarified that "[R]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness" Teleflex Inc. v. KSR Int'l Co., 82 USPQ2d 1385, 1396 (S.Ct. 2007).

The rejection of independent claim 1, and its dependent claims 3 and 5, is respectfully traversed for at least the following reasons. Claim 1 recites:

"1. (Previously presented) A method of requesting a resource having a URL from a web server, comprising:  
a web client receiving input from a user defining the URL;  
in response to receiving the user input, the web client automatically transmitting a first request to a remote computer for a cookie that is valid for the URL; then  
the web client receiving a first cookie from the remote computer;  
the web client transmitting both the first cookie and a request for the resource to the web server;  
the web client receiving the resource and a second cookie from the web server; and  
in response to receiving the second cookie, the web client transmitting the second cookie to the remote computer for storage." (emphasis added)

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The Office has not established a *prima facie* case of obviousness at least because the applied references do not teach or suggest all of Applicant's claim limitations.

With regard to the limitation of the web client transmitting the second cookie to the remote computer for storage, the Office admits the Sears reference does not teach this, but states that the Combar reference teaches that "the client includes the cookie in the request for content to the server and transmitting the newly generated, unique cookie to a web server, dispatch server or separate cookie jar server for storage" (Office Action, p.3). Applicants respectfully disagree.

First, the Office does not identify which elements of Combar allegedly correspond to the web client, remote computer, web server, first cookie, and second cookie of claim 1. This lack of specificity makes it difficult for Applicants to know precisely how to respond. 37 CFR §1.104(c)(2) requires that the features in the references that allegedly correspond to the limitations of the claims be pointed out with specificity. This section states that "[w]hen a reference is complex or shows or describes other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable". Applicant respectfully request clarification of the rejection with respect to the specific elements of the Combar reference pursuant to 37 CFR §1.104(c)(2) in a non-final Action if any of the claims are not found to be allowable.

As best understood, the browser 20 of the Combar corresponds to the web client of claim 1; web server 24 to the web server; and dispatch server 26 or cookie jar server 28 to the remote computer. Based upon this understanding, the Combar reference does not teach or suggest that the client (i.e. browser 20) transmits any cookie to the remote computer (i.e. dispatch server 26 or cookie jar server 28) for storage. The cited portion of the Combar reference, in part, discloses:

"The preferred embodiment further associates a given HTTPS request with a logical session which is initiated and tracked by a "cookie jar server" 28 to generate a "cookie" which is a unique server-generated key that is sent to the client along with each reply to a HTTPS request. The client holds the cookie and returns it to the server as part of each subsequent HTTPS request. As desired, either the Web servers 24, the cookie jar server 28 or the Dispatch Server 26, may maintain the "cookie jar" to map these keys to the associated session." (col. 7, ln. 28-36; emphasis added)

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In other words, the Combar reference clearly discloses that (a) the client holds the cookie, and (b) the client returns the cookie to the web server as part of each subsequent request. There is no disclosure that the client transmits the cookie to any remote computer, where the remote computer is a different element from the web server as in claim 1. The Combar reference clearly teaches that the client retains the cookie. Furthermore, because claim 1 requires the remote computer and the web server to be different elements, it would be improper for the Office to somehow contend that the remote computer and the web server are the same element. It would also be improper for the Office to contend that the act of transmitting the cookie to the web server with a subsequent request for a resource constitutes the web client transmitting the second cookie to the remote computer for storage.

Therefore, for the reasons discussed herein, the applied references, alone or in combination, do not teach or suggest all of Applicants' claim limitations, and thus the rejection is improper at least for this reason and should be withdrawn.

Furthermore, the Office has not established a *prima facie* case of obviousness at least because there is no articulated reason with some rational underpinning that would have prompted a person of ordinary skill in the relevant field to combine the prior art elements in the manner claimed. *In Re Kahn*, 441 F.3d, 977, 988 (CA Fed. 2006). A patent composed of several elements is not proved obvious merely by demonstrating that each element was, independently, known in the prior art. The Office states that the references can be combined together "to customize the requested web document accordingly with the user's information and maintain the user's cookie data in a separate location for added security and extended accessibility" (Office Action, p.4). Applicants believe that this reason lacks the rational underpinning required for validly combining the references, because there is no need to combine the references to customize the requested web document in the manner stated by the Office. This capability is already provided by the cookies disclosed in the Sears reference, as well as by conventional cookies. Nor is any need to combine the references in order to maintain the user's cookie data in a separate location. The Sears reference already teaches this in cookie server 310, and does not need the teachings of the

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Combar reference to provide such a capability. Thus the reason provided by the Office lacks the rational underpinning required for validly combining the references. Consequently, this rationale impermissibly uses the Applicants' disclosure as a blueprint or in hindsight for the rejection. Because the Office has not provided an articulated reason with some rational underpinning to combine the prior art elements in the manner claimed, it is improper to combine the references and the rejection under 103(a) should be withdrawn.

Independent claim 21 recites limitations similar to those of claim 1, discussed above. Therefore, for similar reasons as explained heretofore with regard to claim 1, the features of the present invention are not taught or suggested by the cited references. Applicants respectfully traverse the Office's assertion that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the features recited in the claims of Applicants' invention. Such could be possible only in hindsight and in light of Applicants' teachings. Therefore, the rejection of independent claim 21 is improper at least for that reason and should be withdrawn.

Claims 6, 8-11, and 22 have been rejected under 35 USC §103(a), as being unpatentable over U.S. patent 6,934,736 to Scars, Jr. et al. ("Scars") in view of U.S. patent 6,748,420 to Quatrano et al. ("Quatrano"). Applicants respectfully traverse the rejection and request reconsideration.

The rejection of independent claim 6, and its dependent claims 8-11, is respectfully traversed for at least the following reasons. Claim 6 recites:

"6. (Currently amended) A computing device, comprising:  
means for receiving at the computing device, from a first web client, a first cookie that is valid for a first range of URL's, the first cookie provided to the first web client by a web server;  
means for receiving at the computing device a first request for a cookie that is valid for a first URL from a second web client different from the first web client; and  
means for responding to the first request by transmitting the first cookie from the computing device to the second web client if the first URL is within the first range of URL's, the

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second web client adapted to transmit the first cookie to the web server, wherein the computing device is different from the first and second web clients and the web server.” (emphasis added)

The Office has not established a *prima facie* case of obviousness at least because the applied references do not teach or suggest all of Applicant's claim limitations.

With regard to the first means, the Office states that the Sears reference teaches a computing device comprising means for receiving a first cookie (Office Action, p.6). The Office does not specify which element in the Sears reference corresponds to the computing device recited in claim 6. However, claim 6 has been amended to recite that the computing device includes means for receiving a first cookie from a first web client, where the first cookie was provided to the first web client by a web server, and that the computing device is different from the first and second web clients and the web server. As such, the claim recites that the first web client and the web server are different elements from the computing device. Therefore, the only other candidate element in the Sears reference is cookie server 310. However, as can be understood from the flowchart of Fig. 4 of the Sears reference, cookie server 310 does not receive cookies from web client 320. Cookie server 310 receives from web client 320 only a request 407 to provide cookies for a web site 330,340 (i.e. web server), and may transmit such cookies from the cookie server 310 to the web client 320 in response.

Nor does the Quatrano reference teach or suggest such a limitation. In the Quatrano reference, as understood with reference to Figs. 3 and 6, cookies such as shared session cookie 207-A are sent by collaboration adapter 200 from web server 30 to participants (i.e. clients) 10,20. However, there is no teaching or suggestion that participants 10,20 send those cookies to another computing device different from the web client and web server for storage. Figs. 3, 6, and 7-10 all fail to show any directed communications paths (e.g. connectors with arrows) by which participants 10,20 send any information to any computing device other than to web server 30. More particularly, they fail to show that any cookies provided to a client 10,20 by the web server 30 are sent to any computing device other than to web server 30.

Thus, since the combination of the Sears and the Quatrano references does not teach or

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suggest a web client sending a cookie provided by a web server to a computing device, Quatrano cannot teach or suggest that the computing device sends the first cookie to a second web client for the second web client to transmit to the web server.

Therefore, for the reasons discussed herein, the applied references, alone or in combination, do not teach or suggest all of Applicants' claim limitations, and thus the rejection is improper at least for this reason and should be withdrawn.

Independent claim 22 (currently amended) recites limitations similar to those of claim 6, discussed above. Therefore, for similar reasons as explained heretofore with regard to claim 6, the features of the present invention are not taught or suggested by the cited references. Applicants respectfully traverse the Office's assertion that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the features recited in the claims of Applicants' invention. Such could be possible only in hindsight and in light of Applicants' teachings. Therefore, the rejection of independent claim 22 is improper at least for that reason and should be withdrawn.

Claims 15, 17, and 23 have been rejected under 35 USC §103(a), as being unpatentable over U.S. patent 6,748,420 to Quatrano et al. ("Quatrano") in view of U.S. patent 7,058,60 to Combar et al. ("Combar"). Applicants respectfully traverse the rejection and request reconsideration.

The rejection of independent claim 15, and its dependent claim 17, is respectfully traversed for at least the following reasons. Claim 15 recites:

"15. (Previously presented) A system comprising:  
a first web client;  
a second web client; and  
a computer remote from the first web client and the second web client;  
wherein the first web client is operable to: receive a first resource and a first cookie from  
a first web server and configured to automatically respond thereto by processing the first resource  
and transmitting the first cookie to a remote computer; and receive a URL from a user and is

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responsive thereto by first transmitting a request to the remote computer for a cookie that is valid for the URL; and

wherein the second web client is operable to receive a second resource and a second cookie from a second web server and configured to automatically respond thereto by processing the second resource and transmitting the second cookie to the remote computer; and

wherein the remote computer is operable to receive the first cookie from the first web client and to then store the first cookie; and

wherein the remote computer is operable to receive the second cookie from the second web client and to then store the second cookie; and

wherein the remote computer is operable to receive the request from the first web client and is responsive thereto by: (a) transmitting the stored first cookie to the first web client if the stored first cookie is valid for the URL; and (b) transmitting the stored second cookie to the first web client if the stored second cookie is valid for the URL." (emphasis added)

The Office has not established a *prima facie* case of obviousness at least because the applied references do not teach or suggest all of Applicant's claim limitations.

First, although the Office states that the Quatrano reference discloses the first and second web clients, remote computer, first and second web servers, and first and second cookies of claim 15, the Office does not identify which elements of the Quatrano reference allegedly correspond to each of them (Office Action, p.4-5). This lack of specificity makes it difficult for Applicants to know precisely how to respond. Applicant respectfully request clarification of the rejection with respect to the specific elements of the Combar reference pursuant to 37 CFR §1.104(c)(2) in a non-final Action if any of the claims are not found to be allowable.

As best understood, the Quatrano reference discloses participants (i.e. clients) 10,20, and a web server 30. Participants (i.e. clients) 10,20 may receive cookies from web server 30, and transmit cookies to web server 30. With regard to the limitation of the web client being operable to receive a first cookie from a web server and automatically transmit the first cookie to a remote computer, the Office alleges that the Quatrano reference discloses this at col. 7, lines 7-60.

Applicants respectfully disagree. As best understood, it appears that the Office appears to consider application server 50 of the Quatrano reference as corresponding to the remote computer recited in claim 15. However, if so, there is no teaching or suggestion in the Quatrano reference that participants 10,20 receive a cookie, such as shared session cookie 207-A from web



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server 30 and then automatically transmit that cookie to application server 50. First, such operation makes no sense. Web server 30, which sits between participants 10,20 and application server 50, already has the cookie and could transfer it directly to application server 50 if required. Second, participants 10,20 have no communication path to application server 50; they can send information only to web server 30, as explained previously with reference to claim 6. Third, the Quatrano reference does not teach or suggest that the web client 10,20 responds to the receipt, from a web server 30, of a resource and a cookie by automatically transmitting the cookie to any remote computer. Instead, it appears that, at most, the cookie may be transmitted by the web client 10,20 to the web server 30 in response to a user of web client 10,20 manually interacting with the shared session.

With regard to the limitation of the remote computer being operable to receive the first and second cookie from the first and second web client respectively and then to store the first and second cookie, the Office admits the Quatrano reference does not teach this, but states that the Combar reference teaches that “the client includes the cookie in the request for content to the server and transmitting the newly generated, unique cookie to a web server, dispatch server or separate cookie jar server for storage” (Office Action, p.5).

Applicants respectfully disagree. For similar reasons as explained heretofore with reference to claim 1, the Combar reference fails to teach or suggest this limitation. The Combar reference discloses, to the contrary of what the Office contends, that (a) the client holds the cookie, and (b) the client returns the cookie to the web server as part of each subsequent request.

Therefore, for the reasons discussed herein, the applied references, alone or in combination, do not teach or suggest all of Applicants’ claim limitations, and thus the rejection is improper at least for this reason and should be withdrawn.

Furthermore, the Office has not established a *prima facie* case of obviousness at least because there is no articulated reason with some rational underpinning that would have prompted a person of ordinary skill in the relevant field to combine the prior art elements in the manner claimed. The Office states that the references can be combined together “to customize the

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requested web document accordingly with the user's information and maintain the user's cookie data in a separate location for added security and extended accessibility" (Office Action, p.5). Applicants believe that this reason lacks the rational underpinning required for validly combining the references. There is no need to combine the references to customize the requested web document in the manner stated by the Office. This capability is already provided by the cookies disclosed in the Quatrano reference, as well as by conventional cookies. Thus the reason provided by the Office lacks the rational underpinning required for validly combining the references. Consequently, this rationale impermissibly uses the Applicants' disclosure as a blueprint or in hindsight for the rejection. Because the Office has not provided an articulated reason with some rational underpinning to combine the prior art elements in the manner claimed, it is improper to combine the references and the rejection under 103(a) should be withdrawn.

Independent claim 23 recites limitations similar to those of claim 15, discussed above. Therefore, for similar reasons as explained heretofore with regard to claim 15, the features of the present invention are not taught or suggested by the cited references. Applicants respectfully traverse the Office's assertion that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the features recited in the claims of Applicants' invention. Such could be possible only in hindsight and in light of Applicants' teachings. Therefore, the rejection of independent claim 23 is improper at least for that reason and should be withdrawn.

Claims 18-20 have been rejected under 35 USC §103 (a), as being unpatentable over U.S. patent 6,748,420 to Quatrano et al. ("Quatrano") in view of U.S. patent 7,058,60 to Combar et al. ("Combar"), and further in view of U.S. patent 6,813,039 to Silverbrook et al. ("Silverbrook"). Applicants respectfully traverse the rejection and request reconsideration at least based on the dependence of these claims on independent claim 15, whose reasons for allowability over the Quatrano and Combar references have been discussed heretofore and against which the

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Silverbrook reference has not been cited. In addition, the reason articulated by the Office for combining the prior art elements in the manner claimed lacks a rational underpinning that would have prompted a person of ordinary skill in the relevant field to make the modification.

Accordingly, the Office impermissibly uses the Applicants' disclosure as a blueprint or in hindsight for the rejection. Therefore, the rejection is improper at least for these reasons and should be withdrawn.

### **Conclusion**

Attorney for Applicants has reviewed each one of the cited references made of record and not relied upon, and believes that the claims presently on file in the subject application patentably distinguish thereover, either taken alone or in combination with one another.

Therefore, all claims presently on file in the subject application are in condition for immediate allowance, and such action is respectfully requested. If it is felt for any reason that direct communication with Applicant's attorney would serve to advance prosecution of this case to finality, the Examiner is invited to call the undersigned Robert C. Sismilich, Esq. at the below-listed telephone number.

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**AUTHORIZATION TO PAY AND PETITION  
FOR THE ACCEPTANCE OF ANY NECESSARY FEES**

If any charges or fees must be paid in connection with the foregoing communication (including but not limited to the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment, may be respectively paid out of, or into, the Deposit Account No. 08-2025 of Hewlett-Packard Company. If any such payment also requires Petition or Extension Request, please construe this authorization to pay as the necessary Petition or Request which is required to accompany the payment.

Respectfully submitted,



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